

Passenger Vessel Association
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RE: Maritime Communications Proposed Rule
(WT Docket No. 00-48; FCC 02-102; RM-9499)

The Passenger Vessel Association is the national trade association for the U.S. flag, U.S. Coast Guard inspected, passenger vessel fleet. The Association's approximately 500 members own, operate, design, build, repair, outfit, crew, and manage the vessels of the domestic passenger vessel industry.

Our member's vessels engage in transportation, entertainment, education, and cruising throughout the United States and in international service. The vast majority of U.S. passenger vessel operating companies are small businesses, many are small entrepreneurial enterprises sometimes characterized as "mom and pop" operations.

The U.S. passenger vessel fleet is the most extensively regulated segment of the maritime industry.

The Commission should not adopt a rule requiring the outfitting of small passenger vessels with digital selective calling (DSC) equipment. This rule must not overturn a pre-existing exemption originating under the Global Maritime Distress and Safety System (GMDSS) through a broad, unrestricted equipment requirement. The small passenger vessel limitation should be broadened to add all passenger-carrying vessels, irrespective of size, that operate in protected waters as noted on the vessel's Certificate of Inspection. Protected waters can be characterized as those waters within the boundary line such as harbors, bays and their tributaries in addition to any vessel traffic service (VTS) covered waterway.

The Commission should not mandate a dedicated person for communications during distress situations. The management of resources during a distress situation is under the direction and authority of the Master of the vessel. Any regulation that attempts to pre-manage resources and tasking of crew in response to shipboard emergencies is presumptuous and limits command authority. The installation of communication equipment and alarms at the operating station would seem to facilitate their use by the conning officer in all situations.

This requirement for a dedicated, GMDSS qualified resource imposes costs for crew and training without any discussion or demonstration of benefit. This

individual would have to have some functional role within the crew beyond the one that hopefully and probably will never be needed.

The requirement for on scene radios with aeronautical frequencies is expensive and has no foreseeable use outside of open ocean environments. This requirement should not be imposed upon passenger vessels operating in near coastal, inland and other protected waters. Our member's vessels that are subject to the International Convention on Safety of Life at Sea and that operate in coastal environments have this equipment aboard, but our members cannot foresee an emergency scenario where that type of equipment would either further safety or play a role in an emergency.

The recommendations of the Coast Guard in this rulemaking apparently seek to transfer the international requirement for equipment justified under open-ocean service to domestic applications. This domestication of international requirements imposes undue economic burdens on the U.S. flag fleet without demonstrating any safety benefits. These economic burdens include equipment and training absent any demonstration of need, appropriateness or effectiveness.

We appreciate the opportunity to comment on this rulemaking and look forward to adoption of our recommendations above.

Sincerely

Peter Lauridsen

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